

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 984**

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**Introduced by Assembly Member Nava**

February 27, 2009

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~~An act to amend Section 17525 of the Business and Professions Code, relating to cyber piracy. An act to add Sections 6047.5, 6047.7, and 6047.9 to the Business and Professions Code, relating to the State Bar of California.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 984, as amended, Nava. ~~Cyber piracy. State Bar of California: law school accreditation.~~

*The State Bar Act regulates the practice of law in this state by the board of governors of the State Bar. Existing law authorizes the board to establish an examining committee to administer the requirements for admission to practice law. Existing law provides that the Committee of Bar Examiners is charged with the responsibility of accrediting law schools in California and sets forth the standards for that accreditation. Existing law provides for withdrawal of the accreditation or candidacy of a law school that fails to comply with the educational standards, subject to specified hearings and appeals processes.*

*This bill would require the board to seek recognition by the Council for Higher Education Accreditation as an institutional accrediting organization, and to ensure compliance with council standards on accreditation. The bill would require the Committee of Bar Examiners to establish an accreditation subcommittee to adopt policies, rules, procedures, and processes for the accreditation of law schools, to be funded by existing resources, as specified. The bill would require the*

*Committee of Bar Examiners to adopt an appellate process for which a law school denied certification may appeal that denial, subject to review by the Council for Higher Education Accreditation or the appellate division of the superior court.*

~~Existing law provides that it is unlawful for a person, with a bad faith intent, to register, traffic in, or use an Internet domain name that is identical or confusingly similar to the personal name of another living person or deceased personality, with certain exceptions, as specified. Existing law makes a violation of that provision a misdemeanor, as specified.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. Section 6047.5 is added to the Business and*
- 2     *Professions Code, to read:*
- 3     *6047.5. The board shall seek recognition by the Council for*
- 4     *Higher Education Accreditation as an institutional accrediting*
- 5     *organization, and shall ensure compliance with the certification*
- 6     *standards set forth by the Council for Higher Education*
- 7     *Accreditation.*
- 8     *SEC. 2. Section 6047.7 is added to the Business and Professions*
- 9     *Code, to read:*
- 10    *6047.7. (a) A permanent accreditation subcommittee shall be*
- 11    *established by the Committee of Bar Examiners to promulgate*
- 12    *policies, rules, procedures, and processes for law schools seeking*
- 13    *accreditation by the committee, subject to the standards described*
- 14    *in Section 6047.5.*
- 15    *(b) (1) The accreditation subcommittee shall consist of seven*
- 16    *members as follows:*
- 17    *(A) One member appointed by the Governor.*
- 18    *(B) One member appointed by the Senate Committee on Rules.*
- 19    *(C) One member appointed by the Speaker of the Assembly.*
- 20    *(D) Two members appointed by California accredited law*
- 21    *schools.*

1     (E) Two members appointed by the Committee of Bar Examiners,  
2     at least one of whom shall have experience in legal education and  
3     administration.

4     (2) Accreditation subcommittee members shall serve staggered  
5     terms of five years. In order to establish staggered terms, two  
6     initial members shall be appointed for three years, two shall be  
7     appointed for four years, and three shall be appointed for five  
8     years. Each subcommittee member shall be eligible to be  
9     reappointed for no more than one additional consecutive term.

10    (c) The accreditation subcommittee shall be funded solely from  
11    dues, fees, and inspection costs assessed on California accredited  
12    law schools and from those portions of the State Bar currently  
13    allocated for the oversight and regulation of California accredited  
14    law schools.

15    SEC. 3. Section 6047.9 is added to the Business and Professions  
16    Code, to read:

17    6047.9. (a) Any law school denied accreditation by the  
18    Committee of Bar Examiners may appeal that denial pursuant to  
19    subdivision (b).

20    (b) For purposes of subdivision (a), the Committee of Bar  
21    Examiners shall develop and implement an appellate process for  
22    which a law school denied accreditation may appeal that denial,  
23    which appellate process shall allow for review by the Council for  
24    Higher Education Accreditation or the appellate division of the  
25    superior court.

26    ~~SECTION 1. Section 17525 of the Business and Professions~~  
27    ~~Code is amended to read:~~

28    ~~17525. (a) It is unlawful for a person, with a bad faith intent,~~  
29    ~~to register, traffic in, or use a domain name, that is identical or~~  
30    ~~confusingly similar to the personal name of another living person~~  
31    ~~or deceased personality, without regard to the goods or services~~  
32    ~~of the parties.~~

33    ~~(b) This section shall not apply if the name registered as a~~  
34    ~~domain name is connected to a work of authorship, including, but~~  
35    ~~not limited to, fictional or nonfictional entertainment, and dramatic,~~  
36    ~~literary, audiovisual, or musical works.~~

37    ~~(c) A domain name registrar, a domain name registry, or any~~  
38    ~~other domain name registration authority that takes any action~~  
39    ~~described in subdivision (a) that affects a domain name shall not~~  
40    ~~be liable to any person for that action, regardless of whether the~~

- 1 domain name is finally determined to infringe or dilute a trademark
- 2 or service mark.

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